REMARKS

Applicant appreciates the Examiner's thorough consideration provided in the present application. Claims 1-20 are currently pending in the instant application. Claims 1, 6, 11 and 16 have been amended. Claims 1, 6, 11 and 16 are independent. Reconsideration of the present application is earnestly solicited.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-20 stand rejected under 35 U.S.C. § 103(b) as being unpatentable over Iizuka, U.S. Patent No. 5,664,030 in view of Mast, U.S. Patent No. 5,881,287. This rejection is respectfully traversed.

The present invention is directed to an image encrypting method and device and a recording medium on which image encrypting procedures or an encrypted image file is recorded. Independent claim 1 of the present invention is directed to the image encrypting method and recites a combination of process steps including "a fourth process of encrypting every said portion image data to provide every said portion image data with security so that unauthorized access to the portion image data cannot be obtained without decrypting." In addition, independent claim 1 recites "wherein image-handling

of said portion image data is performed by using said incidental information and said portion image data remains encrypted during the image-handling." Applicant submits that the combination of references relied on by the Examiner fail to teach or suggest the presently claimed invention as recited in independent claim 1.

The Examiner considers the "encoding" and "scrambling" of Iizuka to read on the encrypting of the present invention (see paragraph 4 of the Examiner's Office Action). This interpretation is respectfully traversed. Specifically, the alleged "encrypting" of Iizuka is actually an encoding process that is not analogous to the encrypting of the portion image data "to provide every said portion image data with security so that unauthorized access to the portion image data cannot be obtained without decryption" as recited in independent claim 1 of the present invention. Since the Iizuka reference is not directed to encryption, Applicant submits that this reference fails to disclose this aspect of the presently claimed invention.

In the prior art of record relied upon by the Examiner, encoding of image data is not for security purposes, but is a change in format that allows the image on a recording medium to be properly read by a particular device. In contrast, encryption prevents the image data from being recognized by a

particular device unless access to the image data is authorized. Referring to page 1 of the present specification, a public key system or a common key system are examples of conventional encryption methods.

In summary, the Iizuka reference is directed to a method and apparatus for recording/reproducing image data, which includes error checking codes that are added to a recording medium in order to cope with the partial destruction of a scanned image. However, the Iizuka reference is silent with regard to encryption of image data as in the present invention. In view of this, the Iizuka reference fails to teach or suggest the present invention as recited in claim 1.

Referring to page 3, lines 10-12 of the Examiner's Office Action, it appears that the Examiner is in agreement with Applicant that the Iizuka reference fails to disclose encryption; however, the Examiner relies on the Mast reference in order to modify the Iizuka reference to arrive at the presently claimed invention. Applicant respectfully submits that the modification proposed by the Examiner would not have been obvious to one having ordinary skill in the art. In addition, Applicant submits that even if the modification were obvious, a fact that Applicant does not agree with, the modification would not arrive at the presently claimed invention.

Referring to the Mast reference, this reference is directed to a method and apparatus for copy protection of images in a computer system. Referring to page 3, last two paragraphs of the Examiner's Office Action, the Examiner asserts that Mast discloses a "process of encrypting every portion image data to provide every portion image data with security so that unauthorized access to the portion image data cannot be executed without using the incidental information." The Examiner refers to column 3, lines 50-57 and column 5, lines 26-32 of Mast for this teaching. However, this portion of Mast is silent with regard to using incidental information to handle images as in the presently claimed invention. In view of this, it appears that the Examiner's rationale for modifying the Iizuka reference is misplaced. Applicant therefore submits that it would not be obvious to modify the Iizuka reference as asserted by the Examiner. Reconsideration and withdrawal of the Examiner's rejection are therefore requested.

While not conceding to the appropriateness of the Examiner's rejection, but merely to expedite prosecution of the present application, independent claim 1 of the present invention has been amended to recite "said portion image data remains encrypted during the image-handling."

An advantageous feature of the presently claimed invention is that it enables a device to respond to a request for transmission for a portion of an image due to information incidental to the image, e.g., even if the device is not authorized to decrypt the encrypted image file. In view of this, it is possible to perform image-handling while the portion image data remains encrypted. Applicant submits that the devices of Iizuka and Mast clearly do not teach or suggest this beneficial effect.

With regard to the Iizuka reference, since this reference is not directed to encryption, this reference certainly does not teach or suggest handling images while images are encrypted.

With regard to the Mast reference, this reference only discloses encryption of an image. There is no disclosure in this reference of handling images while the images are encrypted as recited in the presently claimed invention. In view of this, the Mast reference fails to make up for the deficiencies of Iizuka.

With regard to independent claims 6, 11 and 16, these claims also recited that the image handling is performed by using the incidental information and the portion image data remains encrypted during the image-handling as recited in independent claim 1 of the present invention.

Accordingly, these claims are allowable for the same reasons mentioned above with regard to independent claim 1.

With regard to dependent claims 2-5, 7-10, 12-15 and 17-20, Applicant respectfully submits that these claims are allowable due to their respective dependence on independent claims 1, 6, 11 and 16, as well as due to the additional recitations in these claims.

In view of the above amendments and remarks, Applicant respectfully submits that claims 1-20 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the Examiner's rejection under 35 U.S.C. § 102 are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but rather to merely show the state-of-the-art, no further comments are necessary with respect thereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit

Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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